



# City of Hampton, VA

## Meeting Minutes

### City Council

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)

*Ross A. Kearney, II*  
*Will Moffett*  
*Joseph H. Spencer, II*  
*Molly Joseph Ward, Mayor*

*Christopher G. Stuart*  
*Donnie R. Tuck*  
*George E. Wallace*

*Staff:*  
*Mary Bunting, City Manager*  
*Cynthia Hudson, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

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Wednesday, May 9, 2012      6:00 PM      Council Chambers, 8th Floor, City Hall

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#### **CALL TO ORDER / ROLL CALL**

#### **MOLLY JOSEPH WARD PRESIDED**

**PRESENT:** Ross A. Kearney, II, Will Moffett, Joseph H. Spencer, II, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Mayor Ward welcomed everyone to the Public Comment Period. She noted those who wished to speak at the evening meeting on item number 31 regarding the taxicab issue may do so; however, she will request that Council defer the item to the June meeting. She also noted that the City Manager successfully worked out an agreement with the School system and the real estate tax increase is no longer needed; therefore, there will be no Public Hearing at the evening meeting regarding the tax increase.

City Manager Mary Bunting commented on the agreement she worked out with the School system. She, School Superintendent Dr. Linda Shifflette and their staffs worked to determine if there were any alternatives to the proposed tax increase to fund things that were important to the School system, and looked for onetime costs in their budget that could be funded with Fund Balance. They successfully identified a onetime funding approach which amounts to approximately \$900,000 related to the Bridgeport Academy lease. Bridgeport will be moving to another location; therefore, once the last payment is made on the lease, they will have recurring savings which can be used to fund other things such as cafeteria monitors. She indicated she could also recommend Fund Balance regarding the issue related to the Jones and Cooper transportation if the School Board decided to cease transportation one year from now to allow parents and students an opportunity to evaluate options and make alternate arrangements. With us identifying approximately \$900,000 of onetime expenses and Fund Balance support, the School Board agreed that we no longer needed to consider the tax increase proposal.

**PUBLIC COMMENT**

Mr. Frank J. Ottofaro Jr., 341 Wrexham Court, congratulated Mayor Ward on her re-election and made the following statement: I am here tonight to speak on behalf of my father, Frank J. Ottofaro Sr., who recently passed away on March 14, 2012 and to continue to seek the fair and equal treatment he fought for with his life for over twelve years with the City of Hampton. My father was seeking two things from this Council. First, he was seeking an answer to why he was taken out through the City's use of eminent domain quick take procedure when he was told that he would not be by Mr. Wallace if he refused the City's offer. You have failed to answer that question to this day. Second, he had always asked that you pay him the remainder of the money that he was owed that would match what the other property owners involved in this project had received of 2 ½ times their assessed values, that this City came up with themselves. The City's assessed value at the time the property was taken through the quick take procedure and what was filed within the court as the value of this property was \$164,000. If you multiply this figure by 2 ½, it would then equal \$410,000. The City fails to recognize and correct what would be the fair and equal thing to do here for the Ottofaro family, even after a family member has passed. I would also like to comment on the fact sheet that Mr. Wallace asked Ms. Hudson to distribute not too long ago before the election was over. This is what was sent to the James River Journal as the facts from the City's viewpoint. There are several discrepancies. One of the discrepancies has to do with the address being incorrect of the property. Ms. Hudson was nice enough to say that was a tax number. You have it as 21 and 23 Pine Chapel Road as being the address, but it was numbers 11 and 13 Pine Chapel Road. The size of the parcel of land was incorrect as well as being 1 and 1/4 total in land and house property when it was only .73 total. These facts are not facts. They have errors in them. When you have errors in something and you release it to the James River Journal and anybody else out there who wants to read it – even through the Hampton e-link website, they are wrong. There are errors in this. If it were me, I wouldn't have released it, but I can't speak for them. I would like to know one answer about these facts. Were these given to Ms. Hudson basically by Mr. Wallace to review to release, or was this something you came up with on your own out of your own office? I would like a yes or no answer, I don't have to have a drawn out answer.

Vice Mayor Wallace stated he had nothing to do with that release in terms of reading it or seeing it. He said he saw it at the same time Mr. Ottofaro Jr., did. Mr. Ottofaro commented that he remembers Mr. Wallace asking her to do it, but Vice Mayor Wallace's response was fair enough.

Mr. John Krulis, 3631 Chesapeake Avenue, greeted the Mayor, members of Council and the City staff and made the following statement: I want to congratulate the Mayor and Vice Mayor on your re-elections. It was well fought and you succeeded. As the Vice Mayor likes to often say, I want to put it in context. I repeat myself about a conversation I had with the head of the Neighborhood Office about the Chesapeake Avenue debacle. I think only two of you were on Council at that time when I came to Council several times on that issue. When I complained about how the City was doing business, she explained how the City did business as when you deal with the City on issues like this, it is like dancing with a bear. That is how I would like to put this election into context. It's like dancing with a bear. It's pretty rough to be able to do anything when you are dancing with a bear especially when the bear is extremely well organized, well funded and well connected. That being the case, it's hard to work against that even if you have

a lot of people who are still hoping to see some changes take place, but it makes that one seat all the more important which is occupied by somebody who will ask the questions. The rest of you are not going to ask the questions. We are not even expecting you to ask the critical questions. I thank you for serving, Mr. Spencer, and for sitting in Angela's seat. You are going to forfeit Angela's seat by retiring and Donnie, you will hold it to yourself. You will be in Angela's seat. That is a heavy responsibility, but it is a huge one to know. Dancing with the bear is dangerous. All kinds of things can happen to you as a consequence of having danced with the bear and continuing to dance with the bear. There is this consolation – while you may not be as powerful as the bear, it is sometimes more important rather than being powerful to be right. You are right and you speak the truth and you speak for many people, most of whom did not vote.

Mayor Ward called for the next speaker as Mr. Krulis' speaking time had expired.

Mr. Hassan Ali, 236 Hankins Drive, greeted the Mayor, Vice Mayor and the Councilmembers and stated he would withdraw his comments on the cab subject since the item has been deferred. Thank you.

Mr. Hugh Bassette, 117 Rip Rap Road, made the following statement: I want to comment on some issues Councilman Tuck brought up during one of the budget hearings which had to do with the availability of loans for different neighborhoods. He said if you live in some areas, you can get a \$25,000 loan; however, if you live in other areas, you can get a \$50,000 loan. I don't know what loan I can get, but I live in Old Northampton and our houses are old. Somebody needs to give an explanation as to why the amount of a loan someone can receive is determined by where they live. It seems if all of us live in Hampton, the same things should be available in any neighborhood. Maybe there is a logical reason to explain this, but I haven't heard it yet. The other problem with the loan program is there is a man I know who lives on Carolina Street who applied for a \$15,000 loan. The City inspected his property and told him he had structural damage that he had to get fixed. This places a burden on people. My house was built in 1943. If I applied for a loan, there might be some structural things that may be wrong with my house. This penalizes people who live in old neighborhoods like Old Northampton, Aberdeen, Garden City and parts of Phoebus. This does not cost a thing to go back and look at that program to see if those two things can be straightened out so that people can fix up their property. If not, then they are not going to be able to fix it up and the property will deteriorate until someone comes along at a later date and fixes it up. Hopefully, someone can look into Councilman Tuck's concern. Thank you Councilman Tuck for raising that concern. Don't think that there are people out here who don't appreciate that. Maybe you all need to review that program to make sure that the same opportunities that are available to people in one neighborhood are available to people in other neighborhoods.

Mr. Bassette continued his statement on a different subject. I have an idea how you can deal with the budget. Fire Mr. Pete Peterson and hire him back as a consultant with his job being every time he buys a lottery ticket, he has to buy a lottery ticket for the City with the same numbers. Problem solved.

Mr. Rudy Langford, P.O. Box 282, greeted Mayor Ward, Vice Mayor Wallace and the Councilmembers and made the following statement: I want to take this time to congratulate Mayor Ward on her re-election and Vice Mayor Wallace on his effort in

leading the ticket with 8,000 votes. I also want to thank our City Manager. This was the toughest budget year I have seen in 13 election cycles; but, you and your staff and the Budget Director did a wonderful job with the budget this year. We appreciate that.

Mr. Spencer, you will be leaving. We will miss you; but, you have served the City well. I understand you are not coming back under any circumstances, so I want to say we appreciate your service; you have served us well and we hope that you and your family have a good retirement. Mr. Tuck, in two years, you, Mr. Moffett and Mr. Stuart will go run again and I wish you all luck. I want to say to our City Attorney that you are a good City Attorney. Probably the best that Hampton has ever had since I have been back home in twenty-seven years. I also want to say the Director of Parks and Recreation Mr. James Wilson is doing a tremendous job. The playground dedication and ribbon cutting at LB Davis was held on April 21st. Mr. Wilson is doing a tremendous job and I think we all owe him a round of applause. Thank you.

Mr. Sanket Acharya, 344 Brout Drive, Apartment D12, made the following statement: I am a small business owner in Hampton. I own a 7-11 (store). I am here to talk about cigarette taxes. We keep some items on sale at a low price in order to bring customers into the store. In the last three or four years, my gross profit has gone down on cigarettes from 17% to 8%. The reason we cannot increase the retail price is because other counties such as Yorktown have no taxes. People are going to other places to buy cigarettes. Right now, if Hampton is not going to do anything about this, people are going to buy cigarettes in other places and they will buy other things along with the cigarettes. Hampton has to do something to bring those customers back so that they can buy cigarettes and other things. I don't smoke and encourage others not to smoke, but if you increase the tax, people are going to steal and there will be more crime. On the other hand, if others cannot afford to buy cigarettes from Hampton because of the tax, they will steal or go to Yorktown or somewhere else where they can find cheaper cigarettes and bring them to Hampton to sell. Hampton again will be losing taxes. This will be a loss for Hampton if they increase taxes. Thank you.

Mr. Frank Azzalina, 2830 Shore Drive, Virginia Beach, stated he would waive his right to speak due to the postponement of the taxi issue.

Mr. Edwin Boone, 48 Snow Street, made the following statement: I have the copyright to the greatest poem ever written in the history of mankind that ever was, ever is and ever will be. I have talked to the City Council and the Mayor for the last three years. I have not gotten a positive response; so, therefore, I am appealing to the hearts, minds and souls of the individual citizens of Hampton.

Mr. Boone read his poem entitled "Insight":

I stand in a glaring light. It stares at the truth. There are no shadows or obstacles that blind me. I am called Insight. I see what others are blind to. I do not elude the pathway that leads me. I travel on a path that others dare to follow. I am not obscured by the shadows. I seek a friend called truth. The light shines so bright when truth is in sight. It is only He that knows the answer. Truth waits in the darkness. It is only He that sees the light.

Mr. Boone continued his statement: There is an election coming up June 12th. There is a meeting Monday, the 14th at the Hampton Library from 6:30 p.m. – 8:30 p.m. for the

Commonwealth's Attorney's office. It is a democratic primary. We already have a democratic constituent runner, Dee Vantree-Keller. She is the Democratic representative. It should have been held on May 1st with the electoral of City Council, but they moved it to June. The individual that is running against her recently moved here in January. He needs to be here for six months and the next election is June 12th. From January to June 12th, that is six months for him to have his residency here for him to run as a democrat. He lives in Virginia Beach; he does not live here; he works here. Dee Vantree-Keller works here; she has her own company here; she goes to church here. We need her as a representative of the citizens. If kids get in trouble, she will at least give them a second chance with counseling and alternatives other than sending them to jail. I'm pleading with the citizens to hear me out. We need Dee Vantree-Keller for the Commonwealth's Attorney because she will give our citizens a second chance.

Vice Mayor Wallace commented that Mr. Boone has recited the poem "Insight" multiple times and he (Vice Mayor Wallace) thinks it is terrific, powerful and inspiring. He added Mr. Boone is the author of this profound piece of work and it should be shared.

Mayor Ward called for additional speakers. There was one additional speaker.

Ms. Charlotte Dillow, 112 Admiral Court, greeted the Mayor, Vice Mayor, Councilmembers and the City Manager and made the following statement: I am speaking on behalf of Hampton Roads Ecumenical Lodgings and Provisions (H.E.L.P. Inc.) and on behalf of those they serve. I would like to thank the City of Hampton, the City Manager's office and this Council for the support you have given us for the past 30 years. In April, we celebrated our 30th anniversary. We have valued a partnership with the City of Hampton all 30 of those years. From a variety of things that the City of Hampton does for us including us in their funding to support the least of these: those that are homeless, those that are at risk of becoming homeless, whatever people may need in our community, the City has supported us and allowed us to continue to serve the needy citizens in Hampton. One of the biggest supports that you all have given us is some of our funding for our Nights Welcome Winter Shelter Program. That program just ended and we are happy to say that we will be expanding that program this fall and we will be running the program for seven months. We started out running it for five months; the City helped us with six (months) and we are hopeful that we will be moving into seven months of winter shelter programming. I am also happy to say that the shelter numbers for our homeless we serve are going down – not that homelessness is on the decline. Nationwide, it is alive and well unfortunately. Through intense case management from those that work for H.E.L.P. Inc. and volunteer for H.E.L.P. Inc., we have been able to significantly decrease the number of people that come into our winter shelter program. We will provide those numbers to you hopefully within the next week or two as soon the reports are done. We have recently placed 32 homeless individuals out of our winter shelter program into permanent supportive housing which is thanks in part to the funding that the City helps us with. On behalf of those we serve and on behalf of our Board of Directors and staff, I would like to say thank you for your continued support.

Councilman Kearney thanked Ms. Dillow and H.E.L.P. Inc. for all they do and stated he noticed the old woman's club which had been the H.E.L.P. Inc. housing had a For Sale sign on it.

Ms. Dillow replied we outgrew that building which we moved into in 1998 and have allowed another organization called the Breakthrough Center to use it for a similar

purpose. She added that the building is up For Sale because we have expanded; the money will go back to benefiting those that we serve.

Councilman Kearney noted the reason for his comment is that he would hate to see that area not being served.

The meeting adjourned at 6:26 p.m.

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Molly Joseph Ward  
Mayor

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Katherine K. Glass, CMC  
Clerk of Council

Date approved by Council \_\_\_\_\_